

## **ARTICLE XVII – INDUSTRIAL DISTRICT (I)**

### **Section 17.01 – PURPOSE**

The Industrial District is created to regulate industrial development as part of a well-planned and balanced community and to encourage jobs for its residents and a tax base to support the educational opportunities for the young. The intent of the district is to provide reasonable conditions under which desirable industry may operate so that the health, safety, and general welfare of the residents of the township may be preserved.

### **Section 17.02 – APPLICATION**

The provisions of this Article shall apply to all areas zoned Industrial (I) as of the date of adoption of this amendment and all existing legal industrial uses on lands now zoned Industrial within this township shall be considered, for purposes of this Resolution and this zoning district, permitted uses. All new uses shall conform to the standards and requirements of this amended Resolution.

### **Section 17.03 – PERMITTED USES**

Within the Industrial District (I) the following uses, developed in accordance with other provisions of this Resolution, shall be permitted.

- A. Enclosed manufacturing industries.
- B. Enclosed service or repair activities.
- C. Enclosed research facilities.
- D. Temporary structures such as mobile offices and temporary buildings of a non-residential character may be used incidental to construction work on the premises or on an adjacent public project or during a period while the permanent structure is being constructed. The user of said structure shall obtain a zoning permit for such temporary use, which permit shall be valid for six (6) months and may be renewed not more than twice. Renewal of the permit shall be at the discretion of the Zoning Inspector on finding of reasonable progress toward completion of the permanent structure or project. The Zoning Inspector may require provisions for sanitary waste disposal, solid waste disposal and water supply, as he or she deems necessary. The fees for such permit and renewals thereof shall be established by the Board of Township Trustees. Said temporary structures shall be removed not less than ten (10) days after expiration of said permit. No unit shall be occupied as a residence without approval of the Board of Zoning Appeals as granted in compliance with the provisions of Article XXVIII of this Resolution.

### **Section 17.04 – CONDITIONAL USES**

Within this zoning district the following uses may be permitted, subject to the conditions and restrictions imposed by the Board of Zoning Appeals pursuant to the provisions of Article XXVIII of this Resolution. Conditionally permitted uses shall be considered abandoned if said use or uses are not commenced within one (1) year from the date of approval by the Board of Zoning Appeals, or are discontinued for a period in excess of two (2) years. Unless the conditional use permit specifically provides that the grant shall be permanent and shall run with the land, the sale or conveyance of the land and/or structure wherein that same is located or upon which the same is

granted shall void the conditional use permit, and the subsequent owner(s) or his agent shall be required to reapply for a continuation and/or modification of such use(s) to the Board of Zoning Appeals. A designation by the Board of Zoning Appeals that a permit is permanent and shall run with the land does not affect the right of authorities to revoke the permit for failure to comply with conditions imposed. No conditional use shall be implemented until a permit of compliance is issued by the Zoning Inspector.

- A. Petroleum product storage areas.
- B. Quarries and other activities involved in the removal, processing, and sale of natural resources.
- C. The outdoor storage, display, or sale of raw materials, supplies, equipment, or products, specifically related to the Permitted Uses defined in 17.03.
- D. Sexually-Oriented Businesses, in accordance with O.R.C. 2907, provided that the Board of Zoning Appeals finds each of the following conditions exists:
  - 1. There is a minimum distance of one thousand (1,000) feet measured in a straight line from the nearest edge of a parcel of land containing a school, church, cemetery, library, funeral home, public park, tavern, bar or residence to the sexually-oriented business.
  - 2. That the parcel of land upon which the sexually-oriented business is located is a minimum of one thousand (1,000) feet measured in a straight line from the nearest edge of the property to the nearest edge of any other parcel of land containing a sexually-oriented business.
  - 3. All points of ingress and egress shall be located no closer than two hundred (200) feet from an intersection measured from the street right-of-way lines to the point of ingress and egress.
  - 4. No employee of a sexually-oriented business, in the performance of an employee's duties, shall appear on the premises in a state of nudity, except where the employee is appearing on a stage that is at least twenty-four (24) inches above the main floor level of the adult business, and the employee is at least six (6) feet from the nearest other employee or customer.
  - 5. These regulations shall be in addition to the adopted regulations of the Township related to Sexually Oriented Businesses adopted pursuant to the authority of ORC 503.40 et seq.
  - 6. Nothing in this Section shall be deemed to conflict with ORC Chapter 2907, Sex Related Offenses, or otherwise make any conduct legal which is illegal under the Ohio Revised Code.

#### **Section 17.05 – PROHIBITED USES**

- A. Uses not specifically authorized by the express terms of this Article of this Zoning Resolution or by the Board of Zoning Appeals shall be prohibited.
- B. Unless specifically permitted by the Board of Zoning Appeals as incidental and necessary to a permitted or conditional use in this district, the storage of any inoperable, unlicensed or unused motor vehicles, or trailers detached from semi-tractors, shall be prohibited unless said vehicles are enclosed within a building or stored behind properly maintained hedges or fences so as not to be visible from any adjoining property or public road.

- C. Unless specifically permitted by the Board of Zoning Appeals as incidental and necessary to a permitted or conditional use in this district, no trailers of any type, boats, motor homes, or equipment of any type shall be parked in front of the front building line on any lot within this district. If a structure is located on the tract of land or lot, the building line shall be considered to be the front wall of the structure, even if said structure is located behind the minimum building line established by this code or the restrictions in the plat or deed.
- D. Residential use of any kind.
- E. Except as specifically permitted in Section 17.03(D), no manufactured/mobile office or temporary structure shall be placed or occupied in this district.
- F. No cultivators, processors, or retail dispensaries of medical marijuana, licensed under Ohio Revised Code Chapter 3796, shall be located nor operate in this district.

### **Section 17.06 – DEVELOPMENT STANDARDS**

In addition to any other provisions of this Resolution, all lands and uses within the Industrial District shall be developed in strict compliance with the standards hereinafter established:

- A. Building Size: No structure in this district shall contain more than ten thousand (10,000) square feet of floor space per floor devoted to any permitted or conditional use. No more than one structure shall be located on any parcel, tract, or lot.
- B. Lot Size: No minimum lot size shall be required; however, the lot size shall be adequate to provide the required setbacks and off-street parking as herein required.
- C. Lot Width: No minimum lot width shall be required; however, the industrial tracts shall have access to approved streets and shall be of sufficient width as to provide required setbacks and off-street parking.
- D. Building Height: No building shall exceed two (2) stories or thirty-five (35) feet in height measured from the finished grade established not closer than fifteen (15) feet to the exterior wall of the structure.
- E. Front Setback: No building or use shall be located closer to the right-of-way line or center line of the adjacent public or private road than permitted in Article XXI herein.
- F. Side Setback: There shall be a side setback of not less than fifty (50) feet on each side. No accessory building, outdoor storage area or required off-street parking shall encroach in the setback except with the consent of the Board of Zoning Appeals.
- G. Rear Setback: No building shall be located closer than fifty (50) feet to the rear line of any lot. No outdoor storage area may encroach into the prescribed rear setback except with the permission of the Board of Zoning Appeals.
- H. Perimeter Buffer: Parcels within this district that are located adjacent to land developed with single-family homes, a minimum setback of one hundred (100) feet is required. Such buffer shall require

landscaping to minimize impacts on neighboring properties. The buffer may require mounding based on existing and proposed topography.

- I. Screening: All outside storage areas, service areas, and loading docks shall be screened by properly maintained walls, fences, shrubbery, or mounding at least six (6) feet but not more than twelve (12) feet in height. These walls, fences, or shrubbery shall be of a design so as to effectively screen such storage, service, or loading areas and facilities from adjoining streets or other zoning districts. Such shrubbery shall be properly trimmed, and all screening shall be maintained in a neat and tidy manner.
- J. Parking: Off-street parking shall be provided within this district in strict compliance with the provisions of Article XXI of this Resolution.
- K. Signs: Signs identifying or advertising uses within this district shall be in strict compliance with the regulations imposed by Article XXII of this Resolution.
- L. Lighting: Exterior lighting fixtures shall be shaded, shielded, or directed so that the light intensity or brightness shall not be objectionable to surrounding areas. All lighting shall meet the lighting requirements of Section 21.14 of this Resolution.
- M. Freight Loading Area: When any use within this district requires the pickup or delivery of merchandise or supplies, an adequate loading area for such activity shall be provided on the lot occupied by the use. No such loading area shall be located on any public street or alley. Such loading area, as provided, shall be adequate in size to accommodate tractor-trailer (semi) units with adequate room to permit entry to such loading area without interfering with traffic on adjacent streets or highways.
- N. Landscaping: When any use abuts on a Class A or Class B road as defined in Section 21.10 herein, landscaping must be provided which is compatible, in the discretion of the Zoning Inspector, with the adjoining areas. The owner or occupant of the premises shall, at all times, maintain all grassed and landscaped areas.
- O. Noise: No use shall emit noise that can be heard from neighboring residential uses. No use shall exceed 55 dB outside the hours of operation, when measured at the boundary of the property from which the sound or noise is emanating.
- P. Flood plains shall be regulated as defined in Section 21.09.
- Q. Other External Impacts as regulated in Section 21.16.